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Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Report of the Secretary-General

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I. Introduction

1. In paragraph 4 of its resolution 71/60, entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control", the General Assembly invited all Member States to communicate to the Secretary-General information on the measures they had adopted to promote the objectives envisaged in the resolution, and requested the Secretary-General to submit a report containing that information to the Assembly at its seventy-second session.

2. Pursuant to that request, notes verbales were sent to Member States on 21 February and 12 June 2017 inviting them to provide information on the subject. The replies received are contained in section II below. Additional replies received after 31 July 2017 will be posted on the website of the Office for Disarmament Affairs[1] in the language of submission only.

II. Replies received from Governments

Brunei Darussalam

[Original: English]
[29 June 2017]

Three quarters of the territory of Brunei Darussalam is still covered with forest, half of which is primary rainforest. Most of this forest sits in the heart of Borneo, a 22-million hectare landscape of sustainably managed forest. Brunei Darussalam boasts one of the world's richest biodiversity in terms of flora and fauna and has developed a unique symbiosis with and appreciation for its natural environment.

Brunei Darussalam has put in place instruments to ensure the protection of the environment, namely, the Environmental Protection and Management Order, 2015, made under article 83 (3) of its Constitution, and the Forest Act, which first came into effect in 1934. These instruments provide for the protection and management of the environment and for other related purposes. The protection of the environment remains a national commitment, and any form of environmental destruction is considered unacceptable.

In this respect, Brunei Darussalam implements the relevant environmental norms provided for in the various agreements on disarmament and arms control to which it is party, such as the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. Brunei Darussalam is committed to complying with those norms to ensure the implementation of disarmament and arms control measures, such as demining and the destruction of unexploded ordnances without any detriment to the environment.

[1] www.un.org/disarmament/.

Colombia

[Original: Spanish]
[18 May 2017]

For Colombia, it is of the utmost importance to observe environmental norms at all stages of implementation of international disarmament and non-proliferation instruments.

Colombia observes environmental norms in the implementation of the instruments of the international disarmament and non-proliferation regime, as reflected in the implementation of legislation on weapons of mass destruction.

Our country is aware of the environmental impact of nuclear, chemical and biological weapons, as reflected in the complete prohibition of weapons of mass destruction in Colombia under article 81 of the Constitution.

Consequently, the Colombian criminal code criminalizes the manufacture, import, trafficking, possession and use of chemical, biological and nuclear weapons.

For Colombia, the use of weapons of mass destruction is a crime of public endangerment that can cause serious injury to the community and the environment.

Cuba

[Original: Spanish]
[29 March 2017]

The observance of environmental norms should be an imperative in all aspects of public life, including in the drafting and implementation of disarmament and arms control treaties.

As a State party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, the Treaty on the Non-Proliferation of Nuclear Weapons and the Convention on Cluster Munitions, among others, Cuba strictly monitors the observance of environmental norms, as well as the rest of the obligations stemming from those instruments.

The relevant Cuban authorities rigorously enforce a solid legal basis for the implementation of international obligations relating to the observance of environmental norms in the field of disarmament and arms control, such as:

- Article 27 of the Constitution, which refers to the concept of sustainable development
- Act No. 81/1997 on the environment, which sets forth the principles underpinning the country's environmental policy
- Decree-law No. 207 on the use of nuclear energy, which establishes the general rules in this area
- Decree No. 208 on the national system of accounting for and control of nuclear materials, which establishes the norms for the national system, with the aim of ensuring the efficient management of nuclear materials and detecting any unauthorized use, loss or movement of nuclear materials

- Domestic laws on biosecurity and the implementation of the Biological Weapons Convention are reflected in Decree-Law No. 190/99 on biosecurity; decision No. 2/2004 of the Ministry of Science, Technology and the Environment on regulations for accounting for and control of biological materials, equipment and related technologies; the most recent update of the list of biological agents that affect people, animals and plants; and the regulations for granting biosecurity certification, which are contained in decisions Nos. 38/2006 and 180/2007, respectively, of the Ministry of Science, Technology and the Environment
- Legislative Decree No. 202/1999, which governs the implementation of the Chemical Weapons Convention at the domestic level
- Agreement No. 5517 of 2005 of the Executive Committee of the Council of Ministers, entitled "On contraventions resulting from violation of the rules of the Chemical Weapons Convention", which rounded out the legislative measures needed to implement the Convention

International peace and security, the fragile environmental balance of our planet and its sustainable development are seriously threatened by the continued refinement and latent possibility of the use of weapons of mass destruction, in particular nuclear weapons. Their total elimination is the only truly effective way to avoid harmful consequences of the use of such weapons.

Relevant environmental norms must be duly taken into account in international disarmament forums and during the negotiation of international treaties and agreements on disarmament and arms control.

Jordan

[Original: Arabic]
[23 March 2017]

1. Jordan has consistently emphasized the need to respect and apply environmental norms in all conventions and treaties on disarmament. Jordan has signed all the relevant treaties and conventions, including the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and its Protocol I and amended Protocol II on 3 May 1996, and its Protocol III. It has acceded to Protocol IV of that convention and to the conventions on weapons of mass destruction, including the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the Treaty on the Non-Proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty and the Convention on the Marking of Plastic Explosives for the Purpose of Detection, which directly affect humans and the environment.

Jordan attaches the highest priority to protecting the environment and its resources and has adopted the following laws and regulations on environmental protection:

(a) Environmental Protection Act (2003). Pursuant to that Act, a list of dual-use chemicals that are utilized in the manufacture of banned weapons is being developed by the Medical Technical Commission for the Management of Hazardous Substances under the Environment Protection Act;

(b) Regulation No. 37 (2005) on environmental impact assessment;

(c) Regulation No. 66 (2009) on the environment protection fund;

(d) Regulation No. 28 (2005) on air protection;

(e) Regulation No. 25 (2005) on soil conservation;

(f) Regulation No. 26 (2005) on protecting the environment from pollution in emergency situations;

(g) Regulation No. 51 (1999), as amended, on the protection of marine environments and coasts;

(h) Regulation No. 29 (2005) on nature reserves and national parks;

(i) Regulation No. 65 (2009) on environmental monitoring and inspection;

(j) Regulation No. 27 (2005) on solid waste management;

(k) Supplemental amendment to Regulation No. 24 (2005) on the management of harmful and hazardous substances;

(l) The 2013 regulation on the environmental requirements for generating electrical energy by direct combustion of shale oil;

Jordan has acceded to several conventions on the environment, including the following:

(a) Kyoto Protocol to the United Nations Framework Convention on Climate Change;

(b) Vienna Convention for the Protection of the Ozone Layer and its Montreal Protocol on Substances that Deplete the Ozone Layer;

(c) Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;

(d) Convention on Biological Diversity;

(e) United Nations Framework Convention on Climate Change;

(f) Stockholm Convention on Persistent Organic Pollutants.

Jordan is working to rid the Middle East of weapons of mass destruction and has kept abreast of all activities and conferences on the subject. The armed forces continue to clear minefields in accordance with the operational plan in place to create a minefield-free zone. They also continue to rehabilitate areas that have been cleared of anti-personnel landmines, reclaim them in coordination with the competent authorities and return them to their owners. Jordan is committed to destroying its stockpile of anti-personnel mines in a manner that guarantees the preservation of the environment and public safety.

The Jordanian armed forces play a role in environmental affairs and participate in national nature protection and conservation projects. In one such project, they are working with the Royal Society for the Protection of Nature to select sites for several nature reserves that are to be established in the Jordan Valley in order to preserve biodiversity and ecosystems.

Jordan believes that, in order to prevent potential hazards, any State that eliminates or destroys chemical weapons and the facilities in which they are stored and produced must do so in strict compliance with international environmental laws.

Jordan stresses the need for interlinkage between environmental and international instruments. Any convention must include measures and standards for the protection of the environment, especially those related to disarmament. Jordan continues to emphasize the importance of developing the renewable energy system, the possession of nuclear energy for peaceful purposes and the safeguards of the International Atomic Energy Agency.

Madagascar

[Original: French]
[20 June 2017]

The United Nations invites Member States to:

- Take into account the relevant environmental norms in negotiating treaties and agreements on disarmament and arms limitation;
- Observe those environmental norms in the implementation of treaties and conventions to which they are parties.

Consequently, the application of scientific and technical developments in the fields of international security and disarmament should observe prevailing environmental norms. The preparation of a study on the environmental impact of nuclear disarmament requires a thorough understanding of this field. As a non-nuclear-weapon State, Madagascar would welcome expert advice in the context of the resolution.

Portugal

[Original: English]
[27 July 2017]

At its seventy-first session, the General Assembly, recalling the previous resolutions adopted on this issue, reaffirmed the importance of the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control, in particular in relation to nuclear weapons. In this context, the Assembly adopted resolution 71/60, in which it recognized the importance of the adoption by States of measures to ensure environmental progress, in the context of international security.

Portugal has adopted the highest standards of environmental protection and pollution prevention. In addition, best-practice guidelines and recommendations from the relevant international organizations have been translated into national legislation, in particular the Environmental Directive for National Defence, issued on 19 April 2011. Furthermore, Portugal fully complies with European Union law concerning environmental norms.

In operation theatres, the Portuguese armed forces comply with the most environmentally protective or favourable provisions enshrined either in the Portuguese or the host country legislations.

When drawing up and implementing contracts for dismantling military equipment or demilitarizing ammunitions, the Ministry of Defence of Portugal requires contractors to have quality and environment management systems in place and to be certified as implementing ISO 9001: 2015 and ISO 14001: 2015, or equivalent.

In this context, companies make a commitment to preventing pollution and complying with all applicable European and national legislation concerning waste management, in particular for its collection, transport, storage, treatment, recovery and disposal, in order to avoid the creation of hazards or damage to human health and the environment, and to avoid or reduce the release of emissions into the air, water and soil and the generation of waste, in particular through recycling or proper disposal.

When drawing up and implementing contracts for the design and construction of military ships, the Portuguese Ministry of Defence requires that the provisions of

the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, be observed.

In addition, Portugal is party to all major disarmament and non-proliferation conventions. In compliance with its international obligations under the Convention on Cluster Munitions and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, Portugal has disposed of or destroyed its stock of, inter alia, cluster munitions and landmines and, in doing so, fully respected applicable environmental norms, which includes standards agreed by the members of the European Union (Council directive 94/67/EC on the incineration of hazardous waste).

Being party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction requires the adoption by Portugal of control measures, which are either fully in place or being implemented, thus contributing to environmental safety and security.

In addition, Portugal complies with those norms when destroying firearms that are found or seized by police forces. The procedures by which they are destroyed are described in more detail in the report of Portugal to the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons and the Organization for Security and Cooperation in Europe Document on Small Arms and Light Weapons.

Portugal is a State signatory to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (approved by the General Assembly in resolution 31/72 of 10 December 1976), which recalls the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, and it remains ready to proceed with its ratification.

Ukraine

[Original: English]
[31 May 2017]

Pursuant to the international commitments made by Ukraine under the implementing agreement between the Cabinet of ministers of Ukraine and the NATO Maintenance and Supply Organization on the disposal of small arms, light weapons, conventional ammunition and anti-personnel landmines of the PFM-1 type, and the agreement between Ukraine and the United States of America about assistance to Ukraine in the elimination of strategic nuclear arms and the prevention of the proliferation of weapons of mass destruction, enterprises subordinated to the State Space Agency of Ukraine implement projects on the elimination of anti-personnel landmines of the PFM-1 type and SS-24 missile solid rocket motor propellant.

The production activities of the enterprise that is the main contractor for the elimination of PFM-1 landmines and SS-24 missile solid rocket motor propellant is certified under international standards, including ISO 14001: 2015 (environmental management systems). These systems function at the enterprise level and enable it to: introduce unified requirements for all workers and subcontractors to ensure environmental safety in the enterprise; periodically inform and maintain an open dialogue with all stakeholders on the activities of the enterprise in the field of environmental safety; provide information on the results of the assessment of the impact of the economic activities of the enterprise on environmental objects; and

publicly report on the activities of the enterprise in the field of environmental management and maintain strong public relations.

Of all existing methods of disposal (incineration, detonation, mechanical cutting, cryogenic extraction, chemical degradation and water washout), the method used in Ukraine to eliminate SS-24 missile solid rocket motor propellant is water washout, with the further production of explosive emulsion. This technology allows for the processing of extracted propellant without releasing harmful emissions into the atmosphere, water or soil. Such replacement of TNT-based explosives with explosive emulsion is consistent with international practice. PFM-1 anti-personnel landmines and waste streams extracted during the processing of solid rocket motor propellant are eliminated in a specially designed facility. This facility is fitted with special equipment that allows for the most advanced methods to incinerate, filter and neutralize harmful solid and gaseous emissions, thereby preventing any such wastes from leaking into the environment. The empty motor case elimination facility developed and built with the assistance of the United States and designed by the German company Eisenmann is also equipped with systems for incinerating, filtering and neutralizing harmful solid and gaseous emissions. The hazard category of solid substances formed during the elimination of PFM-1 anti-personnel landmines and SS-24 missile solid rocket motor propellant allows for the use of such wastes in road and building construction.

United Arab Emirates

[Original: Arabic]
[15 June 2017]

The United Arab Emirates is making the following efforts to implement the conventions on disarmament and arms control at the local and international levels:

The international community values the progress made by the United Arab Emirates on the humanitarian and cultural fronts and in all areas of development, including its commitment to the provisions and guiding principles of international law and its efforts to strengthen global security and stability, so as to enable nations and peoples to prosper.

The United Arab Emirates also reiterates that it is determined to curb the proliferation of nuclear weapons and weapons of mass destruction. It supports regional and international initiatives on the peaceful use of nuclear energy, in accordance with the controls and standards codified for its use by the International Atomic Energy Agency and in conformity with the provisions of international conventions.

The United Arab Emirates honours its obligations under international conventions and legal actions and measures to implement non-proliferation initiatives at both the local and international levels. At the local level, the laws and decisions it has adopted on the use of radioactive and nuclear materials and protection of the environment from damage caused by such material include the following:

- Federal Act No. 24 (1999) on the protection and development of the environment
- Federal Act No. 1 (2002) on the regulation and monitoring of radioactive sources and prevention of the dangers that they pose
- Federal Decree-Law No. 6 (2009) on the peaceful uses of nuclear energy, pursuant to which the Federal Authority for Nuclear Regulation was established

- Federal Decree-Law No. 5 (2013) on weapons, ammunition, explosives and military equipment, pursuant to which an office specializing in matters relating to weapons, ammunition, explosives, fireworks and military materiel was established
- Decision No. 1 (2012) of the Governing Council of the Federal Authority on Nuclear Regulation concerning the issuance of a decree on emergency preparedness in nuclear facilities
- Decision No. 4 (2012) of the Governing Council of the Federal Authority for Nuclear Regulation concerning the issuance of a decree on radiological prevention and radioactive waste management
- Decision No. 5 (2012) of the Governing Council of the Federal Authority for Nuclear Regulation concerning the issuance of a decree on regulating and monitoring nuclear materials and implementing the additional protocol
- Decision No. 16 (2013) of the Governing Council of the Federal Authority for Nuclear Regulation concerning the issuance of a decree on the design of nuclear power plants
- Decision No. 4 (2014) of the Governing Council of the Federal Authority for Nuclear Regulation concerning the issuance of a decree on the requirements of off-site contingency plans for nuclear facilities
- Decision No. 5 (2014) of the Governing Council of the Federal Authority for Nuclear Regulation concerning the issuance of a decree on monitoring the import and export of nuclear materials and related items

The approach taken by the United Arab Emirates to the peaceful use of nuclear energy is exemplified by its accession to several multilateral and bilateral international conventions on the peaceful use of nuclear energy, including the following:

Collective international conventions

Convention	*Ratification decree*
Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction	Federal Decree No. 104 (2000)
Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction	Federal Decree No. 35 (2008)
Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and its Protocols	Federal Decree No. 113 (2008)
Comprehensive Nuclear-Test-Ban Treaty and the Protocol thereto	Federal Decree No. 84 (2000)
Convention on the Physical Protection of Nuclear Material	Federal Decree No. 66 (2003)
Convention on Nuclear Safety	Federal Decree No. 49 (2009)
Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage	Federal Decree No. 32 (2012)

Convention	*Ratification decree*
Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management	Federal Decree No. 48 (2009)
International Convention for the Suppression of Acts of Nuclear Terrorism	Federal Decree No. 95 (2007)

Bilateral conventions

Convention	*Ratification decree*
Agreement between the United Arab Emirates and Argentina concerning cooperation on the peaceful uses of nuclear energy	Federal Decree No. 60 (2013)
Agreement between the Government of the United Arab Emirates and the Government of Australia concerning cooperation on the peaceful uses of nuclear energy	Federal Decree No. 21 (2013)
Agreement between the Government of the United Arab Emirates and the Government of the United Kingdom of Great Britain and Northern Ireland concerning cooperation on the peaceful uses of nuclear energy	Federal Decree No. 34 (2011)
Agreement between the Government of the United Arab Emirates and the Government of the Russian Federation concerning cooperation on the peaceful uses of nuclear energy	Federal Decree No. 91 (2013)
Agreement between the Government of the United Arab Emirates and the Government of France concerning the development of the peaceful uses of nuclear energy	Federal Decree No. 73 (2008)
Agreement between the Government of the United Arab Emirates and the Government of Canada concerning cooperation on the peaceful uses of nuclear energy	Federal Decree No. 23 (2013)
Agreement between the Government of the United Arab Emirates and the Government of the Republic of Korea concerning cooperation on the peaceful uses of nuclear energy	Federal Decree No. 110 (2009)
Agreement between the Government of the United Arab Emirates and the Government of the United States of America concerning cooperation on the peaceful uses of nuclear energy	Federal Decree No. 85 (2009)
Agreement between the Government of the United Arab Emirates and the Government of Japan concerning cooperation on the peaceful uses of nuclear energy	Federal Decree No. 150 (2013)